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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/808,141	03/15/2001	Yoichi Iki	108933	3052
25944	7590	04/23/2004		
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			EXAMINER LE, MIRANDA	
			ART UNIT 2177	PAPER NUMBER

DATE MAILED: 04/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/808,141

Applicant(s)

IKI ET AL.

Examiner

Miranda Le

Art Unit

2177

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 09 April 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:


Claim(s) allowed: None.


Claim(s) objected to: None.

Claim(s) rejected: 1-12.

Claim(s) withdrawn from consideration: None.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____


GRETA ROBINSON
PRIMARY EXAMINER


Miranda Le
April 21, 2004

Continuation of 5. does NOT place the application in condition for allowance because: : Applicants' arguments do not overcome the final rejection.

With regards to claims 6, 12, applicant argues that Stewart and Yokomizo do not teach the claimed invention. On the contrary, Stewart teaches "an image data acquiring section for acquiring stored image data to which a file name is given in advance" at col. 17, lines 48-67, col. 20, lines 11-49, col. 10, lines 26-41, Figs. 6, 8. Stewart discloses "the image store 214 can operate to provide the following functions: creation of the slot, adding object to the slot, streaming data to fill an object within a slot, retrieval of an object from a slot, and checking if a slot is within the image store 214" (col. 10, lines 27-31). Note that streaming data corresponds to "image data acquire", slot correspond to "section", HD-1, HD-2, HD-3 (Fig. 8) correspond to sections for storing, retrieving image.

Stewart teaches "a structure information setting section capable of having a user arbitrarily set beforehand structure information that defines a structure of a file name, the file name being given to the image data acquired by the image data acquiring section when the image data is stored in a memory" at col. 12, lines 9-44, col. 17, lines 48-67, col. 20, lines 11-49, Figs. 6, 8. Stewart discloses "within each of the slots, there are stored one or more objects that have a predetermined structure" (col. 17, lines 52-54) which is determined as a user desired. The SLOT-1, SLOT-2, SLOT-3 as shown by Stewart are just examples, the user, however, could change the file name of an object to be stored. Stewart also discloses "For example, in an illustrative state, the image stored within SOT-1 includes an original image, and an ACCEL-G image, an ACCEC-1 image, and an ACCEC-2 image, ACCEL-G image refers to general accelerated version, and ACCEC-2 refers to a second particular accelerated version. In the illustrative state, SLOT-2 includes only an original object, and SLOT-3 includes an original object and an ACCEL-G object" (col. 17, lines 54-62). It should be noted that the image file name structure of an image as "ACCEL-\$" is predetermined by user as an example, therefore the user could set the file name by using variable (i.e. \$YYYY, \$MM) wherein SLOT_G corresponds to \$YYYY and ACCEL-\$ corresponds to \$MM.

Fig. 8 also shows the detailed example of a directory structure 800 for use with the file name in storing image file in an image store. It should be noted the HD-n corresponds to the section for storing and retrieving image, and there are subdirectories such as SD 1-1, SD 1-2..., SD 1-1.1, SD 1-1.2..., RD-1, RD-2... These directories are examples that the user could arbitrarily set as desired for storing and retrieving image.

Stewart teaches "a name-generating section for acquiring, for each said image data acquired by said image data acquiring section, information relating to said image data, according to the structure information that is set by the structure information setting section, to generate said file name using the acquired information" at col. 17, lines 48-67.

Stewart teaches "a managing section for storing said image data acquired by said image data acquiring section and for managing the stored image data using the file name generated by the name-generating section" at col. 17, lines 48-62, col. 20, lines 11-49, Fig. 8.

Although Stewart does not explicitly teach "a virtual file name", Yokomizo teaches this limitation at col. 21, lines 42-62.

Both Stewart and Yokomizo are directed to the same field as storing and retrieving image object using file name, it thus would have been obvious to one ordinarily skilled in the art at the time of the invention to modify the teachings of Stewart with the teachings of Yokomizo to include "a virtual file name" in order to provide an image processing system that enables interactive image edition through the WWW, without requiring any significant modification of the WWW, and to enable a user to quickly find the image of interest.

Therefore, Stewart and Yokomizo do disclose each and every element recited in Applicant's claims 6, 12. The claim language as presented is still read on by the Stewart and Yokomizo references at the cited paragraph in the claim rejections. Arguments as raised are moot since all claim limitations relevant to this issue have been addressed accordingly.